

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In Re:

Case No.: 10-07903 SEK

**EDDA M MENDOZA DAVILA**

Chapter 13

Debtor(s)

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**MOTION TO INFORM AMENDED PLAN**

TO THE HONORABLE COURT:

**NOW COMES** the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to increase the base of the plan.

**WHEREFORE**, it is respectfully requests to this Honorable Court to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY** that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

**In San Juan, Puerto Rico this 1st day of November of 2010.**

JPC LAW OFFICE

Jose M Prieto Carballo, Esq  
P.O. Box 363565  
San Juan, P.R. 00936-3565  
Tel (787) 607-2066 & Tel (787) 607-2166  
jpc@jpcclawpr.com

By: /s/ Jose M Prieto Carballo, Esq.

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. 10-07903-13

MENDOZA DAVILA, EDDA M

Chapter 13

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☒ AMENDED PLAN DATED: 11/01/2010

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$ 250.00 x 60 = \$ 15,000.00  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ 15,000.00

Additional Payments:

\$ 39,000.00 to be paid as a LUMP SUM  
 within 36 months with proceeds to come from:

☒ Sale of Property identified as follows:

☒ Other:

FROM REVERSE MORTGAGE

Periodic Payments to be made other than, and in  
 addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ 54,000.00

**III. ATTORNEY'S FEES  
(Treated as § 507 Priorities)**

Outstanding balance as per Rule 2016(b) Fee  
 Disclosure Statement: \$ 2,726.00

Signed: /s/ EDDA M MENDOZA DAVILA  
 Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☒ Debtor represents no secured claims.

☐ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR WILL PAY 100% PLUS 6% INTEREST PER ANNUM TO GENERAL UNSECURED CREDITORS.

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**  
**Continuation Sheet - Page 1 of 1**

	Cr	#	\$
<b>Executory Contracts - Assumed:</b>	ANDRES LABOY		

Label Matrix for local noticing  
0104-3  
Case 10-07903-SEK13  
District of Puerto Rico  
Old San Juan  
Thu Oct 14 12:53:04 AST 2010

CitiFinancial, Inc  
PO Box 70919  
Charlotte, NC 28272-0919

CARIBE FEDERAL  
P O BOX 33017  
SAN JUAN, PR 00933-3017

FIRST BANK OF PR  
P O BOX 19327  
SAN JUAN, PR 00910-1327

NATIONAL COLLEGE  
1000 CARR 506  
COTTO LAUREL, PR 00780-2935

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS, CHAPTER 13 TRUS  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901-1938

GE MONEY BANK (JCPENNEY CREDIT SERVICES)  
C/O RECOVERY MANAGEMENT SYSTEMS CORP  
25 SE 2ND AVE, SUITE 1120  
MIAMI, FL 33131-1605

AMERICAN EXPRESS  
P O BOX 360001  
FORT LAUDERDALE, FL 33336-0001

CITIFINANCIAL  
P O BOX 9300  
SAN JUAN, PR 00908-0300

FIRSTBANK OF PUERTO RICO  
BANKRUPTCY DIVISION  
P.O. BOX 9146  
SAN JUAN, P.R. 00908-0146

SCOTIABANK  
P O BOX 362394  
SAN JUAN, PR 00936-2394

EDDA M MENDOZA DAVILA  
URB SANTA ROSA  
34 13 CALLE 25  
BAYAMON, PR 00959-6539

End of Label Matrix  
Mailable recipients 18  
Bypassed recipients 0  
Total 18

US Bankruptcy Court District of P.R.  
U.S. Post Office and Courthouse Building  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

ANDRES LABOY  
34- 13 CALLE 25  
URB SANTA ROSA  
BAYAMON, PR 00959-6539

FIRST BANK OF PR  
FIA CARD SERVICES  
P O BOX 15026  
WILMINGTON, DE 19850-5026

Fia Card Services, NA As Successor In Intere  
Bank of America NA and Mbna America Bank  
1000 Samoset Drive  
DE5-023-03-03  
Newark, DE 19713-6000

SEARS  
P O BOX 6241  
SIOUX FALLS, SD 57117-6241

JOSE M PRIETO CARBALLO  
JPC LAW OFFICE  
PO BOX 363565  
SAN JUAN, PR 00936-3565